

# EXHIBIT “B”



**Planet Depos®**  
We Make It *Happen™*

---

# Transcript of Patrick Dubinski

**Date:** March 1, 2024

**Case:** Warnick -v- Delmarva Power & Light Co.

**Planet Depos**

**Phone:** 888.433.3767

**Email:** [transcripts@planetdepos.com](mailto:transcripts@planetdepos.com)

**www.planetdepos.com**

Transcript of Patrick Dubinski  
Conducted on March 1, 2024

20

1	work station?	10:20:16
2	A. There were electrical standards, Delmarva	10:20:17
3	Power's electrical standards, which are based off	10:20:25
4	of OSHA codes and any NSEC code, code books.	10:20:26
5	Q. Okay. So, so does Delmarva have a	10:20:32
6	separate book of standards?	10:20:40
7	A. Yes.	10:20:42
8	Q. Okay.	10:20:42
9	A. Yes.	10:20:44
10	Q. And what is that called?	10:20:44
11	A. Electrical Standard -- Distribution of	10:20:45
12	Electrical Standards. There's construction	10:20:51
13	standards and material standards and engineering	10:20:54
14	standards. When I worked there, there were those	10:20:57
15	three, I believe.	10:21:06
16	Q. And, and do any of those standards	10:21:08
17	contain any, to your recollection, any, anything	10:21:15
18	about --	10:21:18
19	A. No.	10:21:23
20	(Reporter asks for last word to be	10:21:23
21	restated.)	10:21:23
22	MR. FOLEY: Maintenance.	10:21:23

Transcript of Patrick Dubinski  
Conducted on March 1, 2024

24

1	Q. -- or standard called --	10:24:48
2	MR. FOLEY: Let him finish. I'm sorry.	10:24:49
3	Go ahead.	10:24:51
4	THE WITNESS: Sorry.	10:24:51
5	BY MR. TIMONEY:	10:24:51
6	Q. While you worked at Delmarva were you	10:24:52
7	aware that there was a guideline or standard	10:24:54
8	called NFPA 70B, Recommended Practice For	10:24:56
9	Electrical Equipment and Maintenance?	10:24:59
10	MR. FOLEY: Objection. Go ahead and	10:25:01
11	answer.	10:25:02
12	THE WITNESS: Yes.	10:25:02
13	BY MR. TIMONEY:	10:25:03
14	Q. Okay. And how was it you were aware of	10:25:07
15	that?	10:25:09
16	A. So we had a safety, like, manager and	10:25:11
17	they were -- it was their responsibility for	10:25:16
18	reviewing and implementing any NFPA guidelines.	10:25:21
19	Myself, as an engineer, I was more on the National	10:25:24
20	Electrical Code and National Electrical Safety	10:25:26
21	Code.	10:25:29
22	Q. Who was the safety manager?	10:25:29

Transcript of Patrick Dubinski  
Conducted on March 1, 2024

37

1	like me.	10:40:44
2	Q. Is that the one with the back of the	10:40:44
3	head?	10:40:46
4	A. Yes.	10:40:46
5	Q. On the left side of the picture?	10:40:47
6	A. Yes.	10:40:48
7	Q. And who are you with in that picture?	10:40:49
8	A. Tommy Jones, I believe his name is.	10:40:51
9	Q. Okay. And do you know where this picture	10:40:56
10	was taken?	10:41:00
11	A. I do not know where specifically it was	10:41:01
12	taken, no.	10:41:03
13	Q. Okay. Who's Tommy Jones and what --	10:41:04
14	A. He's, he was a construction supervisor.	10:41:09
15	Q. Okay.	10:41:11
16	A. Sorry to interrupt. I'm sorry.	10:41:16
17	Q. That's fine. And do you recall any	10:41:17
18	occasion before preparing for your deposition	10:41:23
19	today where you saw this picture before?	10:41:25
20	A. No.	10:41:28
21	Q. Okay. Do you recall prior to preparing	10:41:29
22	for your deposition an occasion where you saw any	10:41:33

1 of the pictures in the packet marked as Dubinski 2 10:41:36  
2 before? 10:41:39  
3 A. Yes. 10:41:42  
4 Q. And tell me what you recall about that. 10:41:42  
5 A. Some of these pictures were taken for, 10:41:46  
6 for various reasons. One of them was the 10:41:52  
7 equipment inside the rooms and discussing this 10:41:54  
8 with leadership on how -- you know, types of 10:42:00  
9 standards to replace it with. 10:42:03  
10 Q. Okay. All right. And so if you look at 10:42:07  
11 the picture where there's you and another person, 10:42:11  
12 the next picture is a picture of -- is this 10:42:14  
13 picture; is that right? 10:42:19  
14 A. Correct. 10:42:21  
15 Q. And is that -- what is that a picture of? 10:42:22  
16 A. It's a picture of, it's a picture of a 10:42:26  
17 switch with some fuses for the electrical cables. 10:42:33  
18 Q. And is that a high voltage switch? 10:42:36  
19 A. Yes. Well, high voltage meaning voltage, 10:42:42  
20 meaning voltage would be like 12,000 volts. 10:42:45  
21 Q. And do you know where this was located? 10:42:51  
22 A. No. 10:42:54

1	Q. And was this a -- is that picture some of	10:42:55
2	the equipment that you'd talked about presenting	10:43:03
3	that photo to leadership?	10:43:08
4	A. Not this specific photo, no.	10:43:09
5	Q. But how about that type of equipment?	10:43:13
6	A. Yes.	10:43:15
7	Q. Okay. And what, if anything, was	10:43:16
8	discussed with leadership about that type of	10:43:19
9	equipment?	10:43:21
10	A. Working with standards to develop how,	10:43:23
11	how to replace it --	10:43:30
12	Q. Okay. Well --	10:43:33
13	A. -- and, and to quantify how many of those	10:43:42
14	that were on the property that Delmarva had.	10:43:44
15	Q. Okay. And, and when did you do the work	10:43:47
16	of quantifying how many Delmarva had?	10:43:51
17	A. Around 2018 to 2019.	10:43:54
18	Q. And how was that done? How was that work	10:43:57
19	done to quantify how many they had?	10:44:03
20	A. Records, mapping records, and some of	10:44:05
21	these audits.	10:44:08
22	Q. And were any done by personal inspection?	10:44:13

1	A. No.	10:44:19
2	Q. Okay. And was any sort of report	10:44:21
3	prepared in connection with that?	10:44:31
4	A. No.	10:44:34
5	Q. Did, did someone come up with a number as	10:44:34
6	to how many of these types of switches were out	10:44:40
7	there on Delmarva's network?	10:44:44
8	A. Switches particularly, no; but in the	10:44:46
9	rooms, yes. We had, we had a list of the rooms	10:44:48
10	that had these type of switches and transformers	10:44:52
11	inside.	10:44:56
12	Q. Okay. And, and do you know what that	10:44:57
13	list was called?	10:44:59
14	A. No, I don't know.	10:44:59
15	Q. And that was sometime around 2018 or	10:45:02
16	2019?	10:45:05
17	A. Correct, correct.	10:45:06
18	Q. And do you know what department	10:45:07
19	maintained that list?	10:45:09
20	A. It was in our --	10:45:10
21	MR. FOLEY: Objection. Go ahead.	10:45:11
22	THE WITNESS: It was in our reliability	10:45:12



1	department.	10:45:14
2	BY MR. TIMONEY:	10:45:14
3	Q. Okay. Do you know what the list was	10:45:15
4	called?	10:45:18
5	A. I don't, I don't recall.	10:45:19
6	Q. And do you know who the author of the	10:45:22
7	list was?	10:45:26
8	A. Myself and Ron Browning.	10:45:27
9	Q. And while you worked here, did you have a	10:45:30
10	copy of that list?	10:45:37
11	A. Yes.	10:45:37
12	Q. Okay. Do you know anyone else who had a	10:45:38
13	copy of that list?	10:45:43
14	A. It was on our shared, shared drive.	10:45:44
15	Q. Okay. And where was it located on the	10:45:47
16	shared drive?	10:45:51
17	A. I don't recall.	10:45:52
18	Q. Well, can we narrow it down? Was it, was	10:45:53
19	it on a certain department's section of the shared	10:45:58
20	drive?	10:46:00
21	A. Possibly, yes. I don't -- at the time we	10:46:03
22	had like a Bay Regional folder --	10:46:10

1	Q.	Uh-huh.	10:46:10
2	A.	-- and we also had a Maryland and	10:46:12
3		Delaware folder. I'm not sure specifically where	10:46:14
4		it was. But within one of those folders we had,	10:46:17
5		it was like a high rise, we called them high rise	10:46:20
6		folders with high rise pictures and lists.	10:46:24
7	Q.	Okay. And what does that reference; the	10:46:29
8		word high rise?	10:46:31
9	A.	Buildings that were higher than four	10:46:32
10		stores.	10:46:35
11	Q.	Okay. And if, if you were -- when you	10:46:35
12		worked here, if you wanted to reference that list	10:46:45
13		on your shared drive how would you -- where would	10:46:48
14		you go? Like literally, what do you click through	10:46:50
15		to get to it?	10:46:54
16	A.	I don't -- I can't remember --	10:46:55
17	Q.	Okay.	10:46:57
18	A.	-- specifically the order of where it	10:46:58
19		was.	10:47:00
20	Q.	Who, who was your boss at the time when	10:47:00
21		this list was prepared?	10:47:04
22	A.	Shirley Banks.	10:47:05

1	MR. FOLEY: I didn't get that. I'm	10:47:07
2	sorry.	10:47:08
3	THE WITNESS: Shirley Banks, B-A-N-K-S.	10:47:08
4	BY MR. TIMONEY:	10:47:13
5	Q. Did she also have a copy of the list?	10:47:13
6	A. Possibly, yes.	10:47:17
7	Q. Did you ever have occasion to discuss the	10:47:18
8	list with her?	10:47:22
9	A. Yes. Yeah.	10:47:23
10	Q. Okay. And tell me I guess first off,	10:47:24
11	what was presented? You mentioned presenting	10:47:40
12	things to a higher level of people about changing	10:47:46
13	these rooms; is that right?	10:47:50
14	A. Yes.	10:47:52
15	Q. Okay. So --	10:47:55
16	A. Or developing a process to change the	10:47:57
17	rooms or seek equipment to, to replace the rooms	10:48:01
18	with --	10:48:09
19	Q. Okay.	10:48:09
20	A. -- approved equipment.	10:48:11
21	Q. And, and who was -- what was that called;	10:48:13
22	that, that process that you developed?	10:48:21

1	A. It wasn't, so it wasn't, it wasn't	10:48:23
2	complete, but like our manager at the time, Dan	10:48:26
3	Guy, it was like to seek his support for replacing	10:48:31
4	the, like replacing the switches or looking at	10:48:41
5	having spare equipment such as (indiscernible	10:48:45
6	words).	10:48:45
7	(Reporter clarifies record.)	10:48:45
8	Q. Dry type transformers.	10:48:48
9	A. Dry type transformers.	10:48:48
10	MR. FOLEY: He says dry type quickly. I	10:48:54
11	struggle with her stuff. You're doing great.	10:48:55
12	BY MR. TIMONEY:	10:48:58
13	Q. And, and so, so was there a particular	10:49:04
14	document prepared for Mr. Guy or --	10:49:08
15	A. No. It was, it was, at the time it was	10:49:10
16	the reviewing the magnitude of the types of	10:49:15
17	equipment that were in the rooms.	10:49:23
18	Q. Okay.	10:49:25
19	A. Or I don't know what you want to call it.	10:49:27
20	Yeah, it was like the magnitude. The number of,	10:49:34
21	number of switches or number of transformers. It	10:49:37
22	was to work on how many of them are there for	10:49:39

1	budgetary reasons and for, you know, future	10:49:44
2	projects.	10:49:47
3	Q. And was a budget prepared?	10:49:48
4	A. No, not, not when I was here.	10:49:50
5	Q. Okay. And was it presented to anyone for	10:49:52
6	support?	10:49:59
7	A. No, not when I was here.	10:50:00
8	Q. And if you -- who, who thought or who	10:50:04
9	generated the idea that these are rooms that	10:50:12
10	should be -- where equipment should be switched or	10:50:15
11	changed?	10:50:21
12	MR. FOLEY: Objection to the form and	10:50:21
13	foundation. Go ahead.	10:50:23
14	THE WITNESS: Can you ask the question	10:50:24
15	again?	10:50:26
16	BY MR. TIMONEY:	10:50:26
17	Q. Yes. I'm trying to -- so my	10:50:27
18	understanding is that you were tasked with	10:50:31
19	determining how many such rooms existed and, and	10:50:36
20	for developing a process for switching out the	10:50:42
21	equipment in that room; is that right?	10:50:49
22	MR. FOLEY: Objection. Go ahead and	10:50:51

1	answer.	10:50:52
2	THE WITNESS: I was not specifically	10:50:52
3	tasked with that. It was an -- as myself as a	10:50:53
4	regional engineer was to look at or determine	10:50:59
5	if such projects or programs should exist.	10:51:03
6	BY MR. TIMONEY:	10:51:07
7	Q. Okay. But -- and did you reach a	10:51:08
8	conclusion as to whether it should exist?	10:51:11
9	MR. FOLEY: Objection. Go ahead and	10:51:12
10	answer.	10:51:14
11	THE WITNESS: For projects and programs,	10:51:14
12	yes. So at the time it was the project	10:51:16
13	initiation part of it. So it was gathering	10:51:20
14	data, looking at how many of them are there.	10:51:23
15	And then it wasn't in -- we weren't into	10:51:27
16	executing anything at that time. It was just	10:51:31
17	the initiation part of it.	10:51:33
18	BY MR. TIMONEY:	10:51:35
19	Q. Okay. And who initiated it?	10:51:35
20	A. Myself and with construction. So like	10:51:43
21	one of the individuals in the picture was like	10:51:48
22	Tommy. He was one of the supervisors. So it was,	10:51:51

Transcript of Patrick Dubinski  
Conducted on March 1, 2024

39

1	Q. And was this a -- is that picture some of	10:42:55
2	the equipment that you'd talked about presenting	10:43:03
3	that photo to leadership?	10:43:08
4	A. Not this specific photo, no.	10:43:09
5	Q. But how about that type of equipment?	10:43:13
6	A. Yes.	10:43:15
7	Q. Okay. And what, if anything, was	10:43:16
8	discussed with leadership about that type of	10:43:19
9	equipment?	10:43:21
10	A. Working with standards to develop how,	10:43:23
11	how to replace it --	10:43:30
12	Q. Okay. Well --	10:43:33
13	A. -- and, and to quantify how many of those	10:43:42
14	that were on the property that Delmarva had.	10:43:44
15	Q. Okay. And, and when did you do the work	10:43:47
16	of quantifying how many Delmarva had?	10:43:51
17	A. Around 2018 to 2019.	10:43:54
18	Q. And how was that done? How was that work	10:43:57
19	done to quantify how many they had?	10:44:03
20	A. Records, mapping records, and some of	10:44:05
21	these audits.	10:44:08
22	Q. And were any done by personal inspection?	10:44:13

1	A. No.	10:44:19
2	Q. Okay. And was any sort of report	10:44:21
3	prepared in connection with that?	10:44:31
4	A. No.	10:44:34
5	Q. Did, did someone come up with a number as	10:44:34
6	to how many of these types of switches were out	10:44:40
7	there on Delmarva's network?	10:44:44
8	A. Switches particularly, no; but in the	10:44:46
9	rooms, yes. We had, we had a list of the rooms	10:44:48
10	that had these type of switches and transformers	10:44:52
11	inside.	10:44:56
12	Q. Okay. And, and do you know what that	10:44:57
13	list was called?	10:44:59
14	A. No, I don't know.	10:44:59
15	Q. And that was sometime around 2018 or	10:45:02
16	2019?	10:45:05
17	A. Correct, correct.	10:45:06
18	Q. And do you know what department	10:45:07
19	maintained that list?	10:45:09
20	A. It was in our --	10:45:10
21	MR. FOLEY: Objection. Go ahead.	10:45:11
22	THE WITNESS: It was in our reliability	10:45:12



Transcript of Patrick Dubinski  
Conducted on March 1, 2024

41

1	department.	10:45:14
2	BY MR. TIMONEY:	10:45:14
3	Q. Okay. Do you know what the list was	10:45:15
4	called?	10:45:18
5	A. I don't, I don't recall.	10:45:19
6	Q. And do you know who the author of the	10:45:22
7	list was?	10:45:26
8	A. Myself and Ron Browning.	10:45:27
9	Q. And while you worked here, did you have a	10:45:30
10	copy of that list?	10:45:37
11	A. Yes.	10:45:37
12	Q. Okay. Do you know anyone else who had a	10:45:38
13	copy of that list?	10:45:43
14	A. It was on our shared, shared drive.	10:45:44
15	Q. Okay. And where was it located on the	10:45:47
16	shared drive?	10:45:51
17	A. I don't recall.	10:45:52
18	Q. Well, can we narrow it down? Was it, was	10:45:53
19	it on a certain department's section of the shared	10:45:58
20	drive?	10:46:00
21	A. Possibly, yes. I don't -- at the time we	10:46:03
22	had like a Bay Regional folder --	10:46:10

1	MR. FOLEY: I didn't get that. I'm	10:47:07
2	sorry.	10:47:08
3	THE WITNESS: Shirley Banks, B-A-N-K-S.	10:47:08
4	BY MR. TIMONEY:	10:47:13
5	Q. Did she also have a copy of the list?	10:47:13
6	A. Possibly, yes.	10:47:17
7	Q. Did you ever have occasion to discuss the	10:47:18
8	list with her?	10:47:22
9	A. Yes. Yeah.	10:47:23
10	Q. Okay. And tell me I guess first off,	10:47:24
11	what was presented? You mentioned presenting	10:47:40
12	things to a higher level of people about changing	10:47:46
13	these rooms; is that right?	10:47:50
14	A. Yes.	10:47:52
15	Q. Okay. So --	10:47:55
16	A. Or developing a process to change the	10:47:57
17	rooms or seek equipment to, to replace the rooms	10:48:01
18	with --	10:48:09
19	Q. Okay.	10:48:09
20	A. -- approved equipment.	10:48:11
21	Q. And, and who was -- what was that called;	10:48:13
22	that, that process that you developed?	10:48:21

1	A. It wasn't, so it wasn't, it wasn't	10:48:23
2	complete, but like our manager at the time, Dan	10:48:26
3	Guy, it was like to seek his support for replacing	10:48:31
4	the, like replacing the switches or looking at	10:48:41
5	having spare equipment such as (indiscernible	10:48:45
6	words).	10:48:45
7	(Reporter clarifies record.)	10:48:45
8	Q. Dry type transformers.	10:48:48
9	A. Dry type transformers.	10:48:48
10	MR. FOLEY: He says dry type quickly. I	10:48:54
11	struggle with her stuff. You're doing great.	10:48:55
12	BY MR. TIMONEY:	10:48:58
13	Q. And, and so, so was there a particular	10:49:04
14	document prepared for Mr. Guy or --	10:49:08
15	A. No. It was, it was, at the time it was	10:49:10
16	the reviewing the magnitude of the types of	10:49:15
17	equipment that were in the rooms.	10:49:23
18	Q. Okay.	10:49:25
19	A. Or I don't know what you want to call it.	10:49:27
20	Yeah, it was like the magnitude. The number of,	10:49:34
21	number of switches or number of transformers. It	10:49:37
22	was to work on how many of them are there for	10:49:39

Transcript of Patrick Dubinski  
Conducted on March 1, 2024

76

1	transformer --	11:26:20
2	Q. Okay.	11:26:21
3	A. -- from what I recall. I don't	11:26:22
4	specifically know that for certain, but...	11:26:24
5	Q. Okay. And then turning back to DPL 526,	11:26:27
6	you don't recall exactly what was said in	11:26:38
7	connection with this slide?	11:26:41
8	A. No.	11:26:42
9	Q. Okay. All right. Turning to DPL 557.	11:26:43
10	Do you recall what was discussed in connection	11:27:01
11	with this slide?	11:27:03
12	A. Besides what's on the page, no.	11:27:04
13	Q. Okay. It references Upgrading Equipment.	11:27:08
14	Do you recall what specific equipment was	11:27:14
15	discussed -- well, let me ask you this.	11:27:17
16	During this presentation were you, did	11:27:22
17	you tell the Condo Association that Delmarva had a	11:27:28
18	plan to upgrade the equipment or was considering a	11:27:31
19	plan to upgrade the equipment? What, what were	11:27:35
20	they told?	11:27:38
21	A. Considering a plan. We didn't	11:27:39
22	specifically have a program or plan in place at	11:27:41

1	that time.	11:27:44
2	Q. Okay. And did you give the Condo	11:27:45
3	Association any kind of timetable for when this	11:27:48
4	would be implemented?	11:27:50
5	A. I don't specifically remember.	11:27:52
6	Q. Okay. And did you, did you discuss	11:27:54
7	specific equipment?	11:28:02
8	A. No, no.	11:28:04
9	Q. Okay. So the first bullet point says	11:28:07
10	Relocation and Consolidation of Electrical	11:28:13
11	Equipment. What -- tell me about that. What,	11:28:15
12	what was the plan for relocating the electrical	11:28:19
13	equipment?	11:28:24
14	A. So there were alternatives discussed to,	11:28:24
15	to relocate some of the equipment outside, because	11:28:29
16	we have -- we had approved equipment for out, like	11:28:32
17	outside switch gear. Or transformers. Any	11:28:37
18	transformers too. It was more on the	11:28:40
19	transformers.	11:28:44
20	In some of the rooms they had dry type	11:28:45
21	transformers, like I said, that Delmarva didn't	11:28:47
22	have the equipment to replace those with.	11:28:48

1       However, the oil-filled transformers were more       11:28:51  
2       readily available. So the relocation was more       11:28:55  
3       garnered to the transformers, moving the       11:29:00  
4       transformers out of the rooms into an outside       11:29:03  
5       space.       11:29:09

6           Q.     Because they would not be dry       11:29:12  
7       transformers? Or why? Why move them out?       11:29:14

8           A.     Availability of equipment. So like I       11:29:17  
9       said, Delmarva did not have dry type transformers       11:29:22  
10      readily available in stock and it was hard to find       11:29:25  
11      manufacturers for the certain size and type that       11:29:28  
12      were in those rooms. So the discussion was to       11:29:30  
13      relocate the transformers outside with equipment       11:29:34  
14      that we either already had or were more available       11:29:37  
15      to get.       11:29:41

16          Q.     Okay. And to relocate equipment outside,       11:29:42  
17      would that be Delmarva paying to do that work or       11:29:47  
18      would the condo pay to do that work?       11:29:51

19          A.     I don't -- I can't specifically answer       11:29:53  
20      that question.       11:29:58

21          Q.     Okay. Do you know who can?       11:30:00

22          A.     I don't know.       11:30:02

1	Q. Okay. So you mentioned transformers, but	11:30:06
2	in the subject line here it says, "I.e., moving	11:30:08
3	equipment out of electrical rooms to standard	11:30:14
4	outdoor switch gear." So that references moving	11:30:17
5	switch gear outside; correct?	11:30:20
6	A. Switch gear with transformers, yes. Yes.	11:30:22
7	Q. And what, what would be the reason for	11:30:23
8	moving switch gear outside?	11:30:25
9	A. I don't specifically remember what was	11:30:26
10	discussed about that.	11:30:30
11	Q. Do you recall any safety-related reasons	11:30:31
12	for moving switch gear outside?	11:30:34
13	A. No.	11:30:36
14	MR. FOLEY: Okay. Mine is cut off. Let	11:30:41
15	me just see the exhibit. I can't read it the	11:30:42
16	way you got it.	11:30:46
17	MR. TIMONEY: Oh, no.	11:30:46
18	MR. FOLEY: I just wanted to --	11:30:47
19	MR. TIMONEY: Yours is printed in the	11:30:49
20	wrong direction. I'm sorry.	11:30:49
21	MR. FOLEY: I just wanted to see the	11:30:50
22	sentence there. I'm sorry. Go ahead.	11:30:51

Transcript of Patrick Dubinski  
Conducted on March 1, 2024

89

1	Atlantic Avenue in Ocean City was at on one	11:44:41
2	occasion or more than one occasion?	11:44:44
3	A. More than one occasion.	11:44:46
4	Q. What was -- what were the reason you were	11:44:47
5	there on other occasions?	11:44:50
6	A. Initially it was to identify how many	11:44:52
7	rooms there were, confirm our records, our mapping	11:44:58
8	records, and then on a separate occasion it was to	11:45:02
9	like seek alternatives with construction for like	11:45:08
10	future improvements.	11:45:15
11	Q. Okay. And did those future improvements	11:45:16
12	include moving the switches to an outside	11:45:19
13	location?	11:45:22
14	A. We probably discussed it, but I don't	11:45:23
15	recall specifically.	11:45:25
16	Q. Okay. Do you know if there was any	11:45:26
17	documentation of your visits?	11:45:28
18	A. I don't remember.	11:45:31
19	Q. Normally when you were working in the	11:45:34
20	reliability department and you visited a property,	11:45:40
21	would any record be made of that?	11:45:42
22	A. Possibly. Probably, yeah.	11:45:44



1	Q. And what would that record be called?	11:45:53
2	A. I don't specifically know. They -- the	11:45:55
3	cars have, the Delmarva vehicles have Telogis,	11:46:04
4	which is like a tracking thing. I don't know if	11:46:08
5	it -- it doesn't say any reasons why, but I mean,	11:46:10
6	the vehicles, you know, track, you know, I guess	11:46:15
7	when and where the vehicle is.	11:46:21
8	Q. Okay. But I guess what I'm not	11:46:24
9	understanding is you were there as a Delmarva	11:46:27
10	employee performing a task of inspecting rooms;	11:46:29
11	correct?	11:46:29
12	A. Yes.	11:46:35
13	Q. And but as part of that job you didn't	11:46:35
14	record what you saw during the inspection?	11:46:41
15	A. I probably had notes for the, for the	11:46:43
16	visit.	11:46:47
17	Q. Okay. And where would those notes be	11:46:47
18	kept?	11:46:50
19	A. Probably in probably a binder, internal	11:46:50
20	or something, at the time.	11:46:54
21	Q. And do you know where those notes, were	11:46:55
22	they saved anywhere?	11:46:56

Transcript of Patrick Dubinski  
Conducted on March 1, 2024

94

1	that they're all photos of the Oceana I	11:50:52
2	Condominium at 8201 Atlantic Avenue and	11:50:55
3	specifically outside and around the room where	11:50:58
4	the accident took place.	11:51:02
5	(Dubinski Exhibits 7 and 8 were	11:51:02
6	marked for identification.)	11:51:02
7	BY MR. TIMONEY:	11:51:05
8	Q. Looking at Dubinski 7 --	11:51:05
9	MR. FOLEY: That's this one.	11:51:11
10	BY MR. TIMONEY:	11:51:11
11	Q. -- the second page of that is labeled	11:51:14
12	P765 and the third page is labeled P766. Were any	11:51:17
13	of these labels placed by you?	11:51:31
14	A. Me specifically? I can't recall. It was	11:51:35
15	myself and I think a trouble service person when	11:51:38
16	we had these labels put on.	11:51:41
17	Q. Okay. So you added this label in, in or	11:51:42
18	about 2019?	11:51:46
19	A. Yes.	11:51:48
20	Q. Okay. And what was the reason for, for	11:51:48
21	putting that label on?	11:51:54
22	A. We were looking to do it at all the	11:51:55

Transcript of Patrick Dubinski  
Conducted on March 1, 2024

96

1	Dubinski 5 or Dubinski 6, I think you said you	11:53:56
2	thought one of these was a substation label?	11:54:00
3	A. Correct. Dubinski 5, I believe.	11:54:04
4	Q. Okay. So in this substation label it	11:54:06
5	says Qualified Personnel Only?	11:54:12
6	A. Yes, I see that.	11:54:15
7	Q. Okay. So, so that's a little bit	11:54:17
8	different from the label you placed on the door;	11:54:21
9	correct?	11:54:21
10	A. Correct.	11:54:25
11	Q. Was there a reason why you put this	11:54:26
12	different label on the door as opposed to the	11:54:31
13	substation label that's in the presentation?	11:54:33
14	A. I don't, I don't know. I didn't have	11:54:35
15	input. It went through our safety manager at the	11:54:37
16	time and the vendor that provided the label.	11:54:41
17	Q. And who was the safety manager?	11:54:43
18	A. I don't remember his name.	11:54:45
19	Q. Okay. Okay. So did you put -- sometime,	11:54:47
20	when you visited sometime in -- was this same	11:55:16
21	label put on other Condo Association doors?	11:55:21
22	A. No. Not at that time, no.	11:55:24

Transcript of Patrick Dubinski  
Conducted on March 1, 2024

100

1	that work here.	11:58:23
2	Q. Okay. And do you know what, if any,	11:58:25
3	information was given to the condo about who	11:58:30
4	should or should not access that room?	11:58:33
5	A. I don't specifically know.	11:58:35
6	Q. Okay. Did you make any inspection of the	11:58:36
7	condition of that lock when you were there?	11:58:40
8	A. That one in particular, no.	11:58:43
9	Q. Okay. When you were looking at different	11:58:49
10	residential Condo Association buildings to look at	11:58:58
11	their switch rooms or electrical rooms, did you	11:59:01
12	have occasion to or reason sometimes to inspect	11:59:04
13	the locks or --	11:59:08
14	A. Yes.	11:59:09
15	Q. And what --	11:59:10
16	A. Yes. If it was rusted shut or we had	11:59:10
17	difficulty opening it, it would -- I think we were	11:59:16
18	just noting down possible, possible issues --	11:59:19
19	Q. Okay.	11:59:24
20	A. -- with the door of the room itself.	11:59:25
21	Q. And if you saw that issue, what, if	11:59:26
22	anything, would you do?	11:59:29

1	A. At the time we were looking to get a	11:59:30
2	vendor with improvements to the door, the lock.	11:59:37
3	So, so it was possible that it wouldn't shut	11:59:43
4	completely.	11:59:50
5	Q. Okay. So what, what kind of a vendor	11:59:50
6	were you looking at?	11:59:54
7	A. Specifically it was Salisbury Door and	11:59:55
8	Hardware.	11:59:57
9	Q. Okay. And, and so what -- tell me about	11:59:59
10	that. What do you recall about contacting	12:00:03
11	Salisbury Door and Hardware?	12:00:05
12	A. It was, it was to get their feedback on,	12:00:06
13	you know, what, what type of -- you know, how a	12:00:13
14	door like that would normally be locked. Or yeah,	12:00:19
15	would normally be locked.	12:00:23
16	In some of the other buildings that we	12:00:25
17	visited they had vents that were rusted, doors had	12:00:27
18	vents that were rusted. So I was taking note of	12:00:31
19	some of those also. So it was a variety, it was a	12:00:35
20	variety of, you know, kind of feedback from the	12:00:39
21	vendor.	12:00:42
22	Q. Okay. So but did Delmarva actually	12:00:43

1	replace any locks?	12:00:45
2	A. No, no, no.	12:00:46
3	Q. Did Delmarva make recommendations to any	12:00:48
4	buildings to replace locks?	12:00:50
5	A. I -- that could have possibly happened,	12:00:55
6	but not me specifically.	12:00:59
7	Q. Okay. And do you know if Delmarva made	12:01:01
8	any recommendations to replace doors or vents on	12:01:03
9	doors?	12:01:07
10	A. Recommendations to whom.	12:01:07
11	Q. To anyone internally or to the condo, the	12:01:09
12	building?	12:01:12
13	A. Yeah, internally. Yeah, I mean, we had a	12:01:13
14	quote from Salisbury Door and Hardware for locks	12:01:16
15	or for replacing the vents or little improvements.	12:01:19
16	Q. And what happened to that quote?	12:01:28
17	A. It never, it never, it never happened. I	12:01:30
18	mean, it never went to fruition.	12:01:33
19	Q. Do you know why?	12:01:36
20	A. I couldn't get ahold of the vendor.	12:01:37
21	Q. I don't understand.	12:01:41
22	A. Like we got a quote and then after like	12:01:43

1	months of follow-up I wasn't getting any kind of	12:01:45
2	feedback on when they could start or not start or	12:01:48
3	anything like that.	12:01:50
4	Q. Okay. And when you called them, was it a	12:01:51
5	quote to replace the lock on one door or multiple	12:01:53
6	doors or what?	12:01:56
7	A. Multiple doors.	12:01:57
8	Q. Do you recall how many?	12:01:58
9	A. I don't remember specifically.	12:01:59
10	Q. Do you recall which condos?	12:02:01
11	A. I can't recall specifically.	12:02:04
12	Q. Do you recall if one of the condos was	12:02:06
13	the Oceana condo?	12:02:08
14	A. Possibly, yeah.	12:02:11
15	Q. Okay. And at that time was it your idea	12:02:12
16	that the door would be replaced by Delmarva with a	12:02:15
17	lock that Delmarva would control?	12:02:24
18	MR. FOLEY: Objection. Go ahead.	12:02:26
19	THE WITNESS: I can't remember the	12:02:28
20	specifics about it, about who had, who would	12:02:30
21	have had the key or who would have had the	12:02:33
22	lock.	12:02:35

Transcript of Patrick Dubinski  
Conducted on March 1, 2024

104

1	BY MR. TIMONEY:	12:02:35
2	Q. And at the time was there any discussion	12:02:37
3	about adding a padlock to the door?	12:02:38
4	MR. FOLEY: Objection. Go ahead and	12:02:42
5	answer.	12:02:43
6	THE WITNESS: Possibly, yeah. Yeah.	12:02:43
7	BY MR. TIMONEY:	12:02:45
8	Q. What, if anything, do you remember about	12:02:45
9	that discussion?	12:02:46
10	A. I don't specifically -- I know the vendor	12:02:49
11	recommended, I think he called it like a lock and	12:02:52
12	saddle. Or lock, saddle and clasp. I don't	12:02:54
13	remember specifically what it was. I think that	12:02:57
14	could have been a lock that you could have added a	12:02:59
15	padlock too, but I don't specifically remember.	12:03:02
16	Q. If we look at Dubinski 8 -- here it is.	12:03:04
17	The first page of Dubinski 8 is a photo marked	12:03:59
18	DPL 013 and is that -- are those green boxes	12:04:03
19	outdoor transformers?	12:04:10
20	A. Yes.	12:04:11
21	Q. Okay. And those transformer boxes have	12:04:12
22	labels on them; is that right?	12:04:20



Transcript of Patrick Dubinski  
Conducted on March 1, 2024

115

1	BY MR. TIMONEY:	12:15:13
2	Q. Sure. But if you could see from the	12:15:13
3	stuff stored in the room that, that people,	12:15:15
4	non-Delmarva employees were accessing that room,	12:15:21
5	doesn't that make it an emergency situation?	12:15:23
6	A. In a sense, yes, I guess you could say	12:15:26
7	that.	12:15:29
8	Q. And so did you or anyone else at Delmarva	12:15:30
9	respond in any way to take extra measures to	12:15:36
10	secure a room if you saw that there was	12:15:40
11	non-Delmarva equipment near switches?	12:15:44
12	A. I don't recall specifically. Anything	12:15:45
13	that was, anything that was noticed went through	12:15:48
14	our safety manager and our public affairs manager	12:15:53
15	at the time.	12:15:57
16	Q. And who was the safety manager?	12:15:58
17	A. I don't remember his name.	12:15:59
18	Q. And who was the public affairs person?	12:16:01
19	A. Jim Smith.	12:16:03
20	MR. TIMONEY: Okay. That's all I have.	12:16:10
21	MR. FOLEY: I'll reserve the rest for	12:16:11
22	trial and we'll read and sign.	12:16:14